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Why Legal Services for the Poor?

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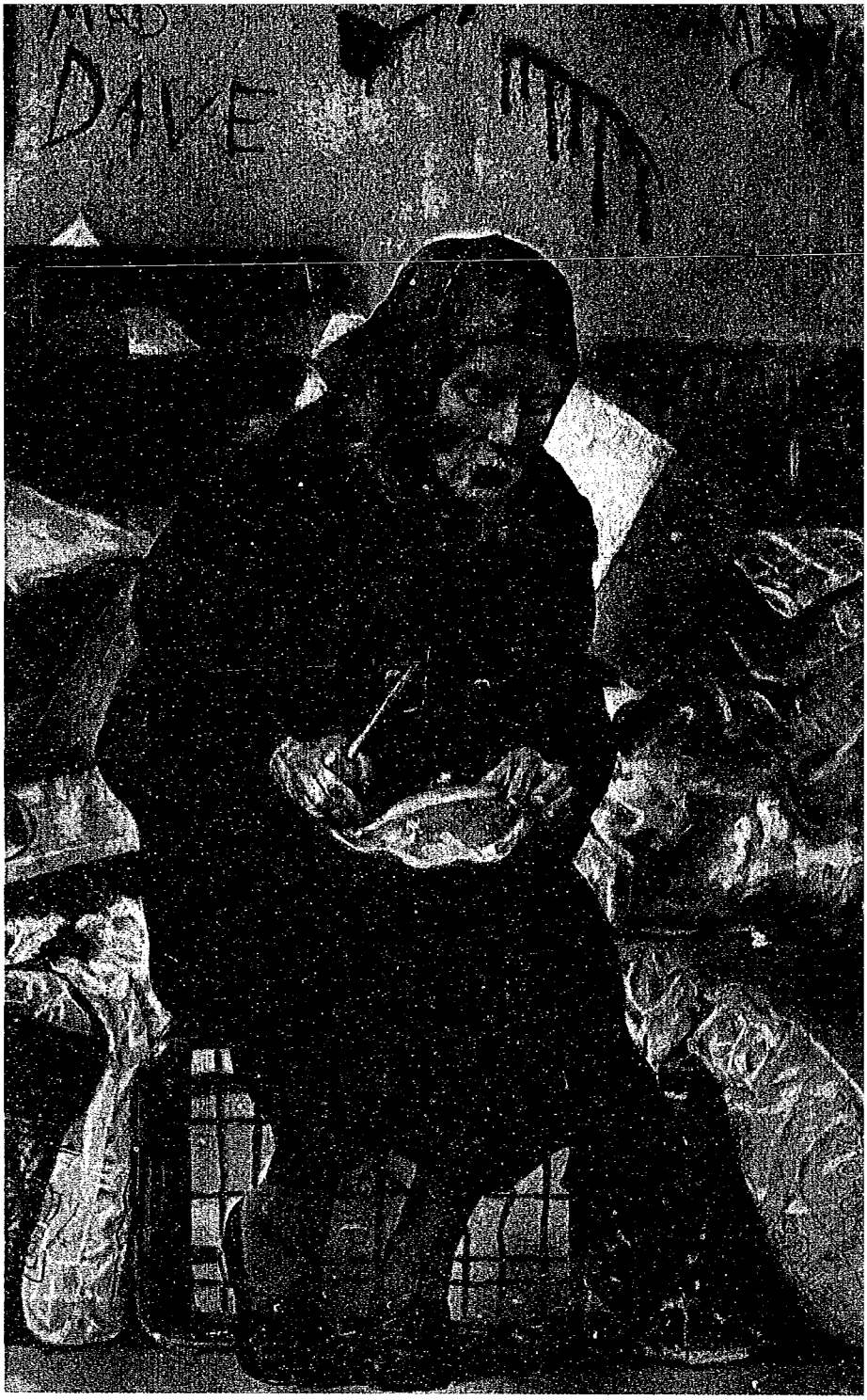


Why Legal Services for the Poor?

By Roger C. Cramton

PRESIDENT Reagan's effort to abolish or cripple the national legal services program raises issues of special concern to lawyers. The profession imposes on itself the obligation, through one mechanism or another, to meet the needs of the poor for civil legal assistance. Since lawyers are interested in the question in many senses — economically, morally, and psychologically — there is a special duty to understand the underlying contentions.

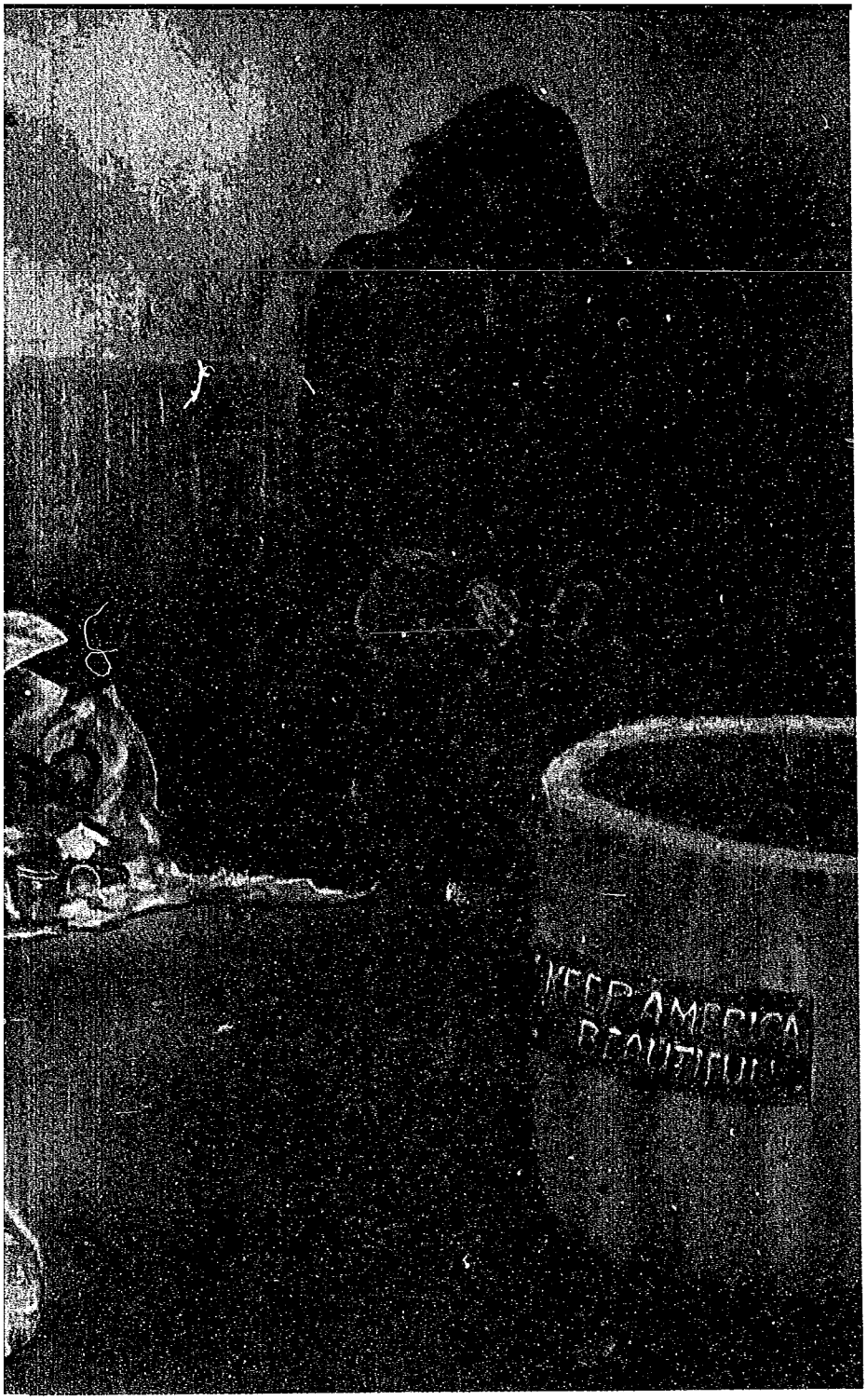
Critics perceive the program as an effort of left-wing lawyers, recently graduated from law school, engaged as self-appointed representatives of the poor in test litigation designed to erode the free enterprise system. The program's defenders frequently respond with opposing stereotypes, asserting that the Reagan administration's proposal amounts to a denial of the nation's commitment to equal justice under law—"putting a price tag on justice, just like a Cadillac or a yacht," in the words of F. William McCalpin, an American Bar Association officer and former chairman of the board of the Legal Services Corporation. A dispassionate assessment of the underlying issues is much needed.

Criticisms of the current legal services program fall into three categories: (1) the program is a political instrument of activist lawyers; (2) it is not a poor people's program but a lawyers' program; and (3) it is inefficient both in assisting poor people and in the costs it places on others.

The most common criticism is that it tempts judges to venture into areas that critics believe they should not enter. Howard Phillips, who led the Nixon administration's unsuccessful attempt to dismantle the legal services program of the Office of Economic Opportunity in 1973, says:

"[I]t is a violation of the constitutional rights of every American to be required to subsidize activities which are essentially political in nature but are not accountable to the market place or the ballot box. . . . Legal Services attorneys have been involved in virtually every liberal cause. . . . And through the Legal Services Corporation, Congress has subsidized the liberal faith."

Taxpayers' funds, of course, should not be devoted to essentially political activities, but there is no evidence to prove that this is in fact what is going on. In one recent statement Phillips cited representation of Iranian student



protestors, suits promoting affirmative action in employment and education, and claims of American Indians for tribal lands as typical activities of the program. Although I agree that representation of college students or illegal aliens has a low priority in the allocation of scarce federal funds, deportation proceedings, nondiscrimination statutes, and Indian land claims are appropriate areas in which the rights of poor people should be enforced. The well-to-do use members of the private bar to enforce their rights in these areas. Why is it "political activism" when poor people do so?

Nearly all assertions of legal rights on behalf of a particular class of persons are "political" in the sense that they involve the social distribution of benefits and status. Rights that are recent creations of legislatures or administrators are especially likely to be viewed as controversial and hence "political"; an outstanding current example is rights relating to affirmative action in employment. In the 1930s statutes relating to union organization were much more bitterly contested, and therefore controversial, than they are today. The passage of time may similarly mute some areas of current controversy. But access to the courts is a neutral principle applicable to all rights. The "political" label attaches because, despite the legislative or judicial creation of the rights sought to be enforced, some people continue to view them as controversial.

The "political activism" critique, insofar as it does not overlap with more general concern about judicial activism, involves two subthemes: the propriety of government's funding lawsuits against itself, and the relative emphasis in the legal services program on impact litigation as against individual client service.

In an era of widespread concern about the bureaucratic interference of government with private activity, it is surprising to hear voices from the right arguing that poor people should not be able to obtain representation to challenge the validity of governmental action that affects them. One would suppose that policing the bureaucracy on behalf of private individuals would appeal to conservatives.

Legal services lawyers sue governmental bodies to vindicate the legal rights of the poor. While it rankles some politicians to use government funds this way, there is every reason to make a large and fallible government accountable in its own courts. The legitimacy of the claims asserted, of course, is determined by the independent judiciary, not by the indigent clients or their lawyers. These suits may increase government expense because they cost money to defend and because they sometimes require increased disbursements for such items as wrongly withheld welfare benefits. Yet representation of the poor often reduces the workload of government agencies by putting the claims of poor people into a comprehensible form so that they may be handled easily and cheaply. Even if the increased costs exceed the savings, the government's compliance with the rule of law enhances its legitimacy, which is itself of substantial value.

The second subtheme of the "political activism" critique concerns the relative emphasis of the legal services program on litigation designed to reform the law or improve the condition of the poor. Critics talk as if the only cases a

Illustration by Melodye Rosales

local program should handle are routine matters that affect only the individual client — a goal that is neither practicable nor desirable. A judicial precedent necessarily affects all persons similarly situated; and, now that mutuality of estoppel is no longer generally required, res judicata may bind the same defendant when sued by other plaintiffs.

The significance of a lawsuit cannot be determined at its outset. The importance of a decision results from the judicial rulings made at the conclusion of a case. Many lawyers have been disappointed when their "landmark" cases were decided ultimately on trivial points, and major rulings have often emerged from routine cases. Significant cases may be decided for or against the indigent client by the independent judiciary. The assertion that the program tempts judges to do things they should not do — the general concern with judicial activism — raises questions about the judicial branch, not the litigants before it.

It is true that the legal services movement has a shared ideology that highly values "law reform litigation." Abandonment of any opportunity to engage in significant litigation or legislative activity would make the program uninteresting to many of the better lawyers who now find it a fulfilling career. Inability to raise and win significant victories for poor people also would make a mockery of our claim of equal justice under law. The lawyer for the poor client would be restricted to repetitive and insignificant problems and presumably would have to abandon his client's interests, in violation of professional ethics (D.R. 7-101 (A)), when an issue of importance to others emerged.

Aside from these practical and philosophical difficulties with the concern about law reform, there is an efficiency concern. Repetitive litigation of the same problem in one-by-one litigation is wasteful of private and public resources. The disposition of significant issues in a manner that affects a large number of people provides a much more efficient use of taxpayers' funds for legal services.

The concern about impact litigation also rests on an inaccurate perception of the underlying facts. The publicity given to a small number of highly visible controversies and the ambitious rhetoric of an occasional legal services lawyer, who may talk enthusiastically and unrealistically about changing the world through test cases, distort the reality of day-by-day work in a legal services office. The vast bulk of the cases and the attorney effort is directed to individual client service. In recent years only two tenths of 1 per cent of all completed cases nationwide have been categorized by the independent programs that handled them as "significant" — that is, having importance beyond the individual client. Since more than a million cases are handled each year, only about 2,000 cases nationwide are thus viewed as significant by the lawyers who handled them. And because law reform litigation has a high status among legal service attorneys, they tend to exaggerate rather than denigrate the significance of a program's cases.

Access to the courts is not just another social or welfare benefit

The real problem may be the reverse of the one imagined. Evaluations of individual programs and of the national effort almost invariably conclude that most programs are devoting a disproportionate amount of their time to routine matters and that federal dollars would be more effective if a larger portion were devoted to significant matters. Data concerning the frequency of class actions point in the same direction. A Legal Services Corporation survey of a random sample of staff attorneys in 1978 revealed that only 29 per cent of them had participated in at least one class action during the preceding period of more than three years. Whatever the rhetoric may be at the national level, the individual programs find it impossible to resist the enormous pressure of the hurt, troubled people who fill their waiting rooms and request, with the most obvious need, routine legal services.

In short, the charges of political activism are illogical and lack factual support. Legal services lawyers are not ideological ambulance chasers but reasonably ambitious and idealistic attorneys who are trying to do good legal work under trying circumstances.

A more fundamental but less common critique of the legal services program is that, despite its noble pretense, it benefits lawyers instead of poor people. Stephen Chapman, for example, argued in a 1977 *New Republic* article that the principal benefits of the program run to its lawyer supporters and proponents, not to the poor people who are its ostensible beneficiaries. The program, according to Chapman, is a full employment bill for lawyers that bar associations support because it provides employment for the current overflow of young lawyers from the law schools, who would otherwise compete with the existing private bar. Since legal services programs are prohibited from taking fee-generating cases, his argument goes, they do not compete with private lawyers. Even more important, every case handled by a legal services lawyer creates new business for other lawyers, since the opposing party needs the services of a lawyer. Thus the program has a tremendous multiplier effect on the demand for lawyers.

Chapman also characterizes the program as paternalistic and questions the value of providing legal services, rather than money, to the poor. He argues that lawyers exaggerate the importance of legal counsel, regarding it, "like food, shelter, and medical care, as a basic right." Lawyers, like every other group, tend to "magnify the importance of what they do," especially when public provision of legal services serves their self-interest and relieves them of the duty to provide *pro bono publico* services.

"The legal services program," Chapman writes, "may be the most extreme example of the paternalism of the American welfare state: denying the poor what they explicitly lack—money —in favor of the goods and services the government thinks they should have, in the amount and proportion it deems appropriate." If a negative income tax or other program redistributed income to the poor, some of them might purchase legal services with the money, but Chapman surmises that most poor people would not value legal services as highly as food, shelter, clothing, education, or even entertainment. The subsidized availability of lawyers to the poor, he continues, contributes to "the increasingly litigious character of American society and government" by turning "another ordinary piece of social friction into a legal dispute . . . inevitably [reducing] the areas of social life where people are free to interact without the formalities of legal procedures, and without the assistance of lawyers. . . ."

Since every group tends to identify its interest with that of society, lawyers need to struggle with these arguments. Lawyers as a class do benefit in many ways, psychic as well as economic,

from the legal services program. And the societal trends toward litigious formalism and social fragmentation are painfully evident. On the other hand, the opportunity to enforce legal rights and responsibilities involves more than efficiency. Poor people who are defendants in civil proceedings do not have a choice — they are faced with the coercive power of the state. Similarly, one who needs to invoke the aid of the courts to enforce a right has no other alternative, if the opposing party refuses to settle. Access to the courts is not just another social or welfare benefit, but an issue that goes to the moral tone of a society and the legitimacy of its institutions. Belief in the priority of the rule of law is a view not confined to lawyers.

The economic arguments in favor of distribution of money rather than legal services assume that substantial amounts of money would be available for distribution and that market imperfections do not prevent rational choices by poor people. Both assumptions are dubious. The current appropriation for the national legal services program amounts to only about $10 per eligible poor person, a sum that will not purchase much in the way of legal services or anything else. And poor people, because they often are less well educated and informed, may lack reliable information concerning their need for legal services and how to get them.

Finally, there is a "free-rider" problem that discourages vindication of small claims when each claimant's stake is a small one. No one has an incentive to expend the amount necessary to litigate a $100 claim, but the pooling effect of legal services confers a benefit on all members of the group by supporting litigation based on the aggregated value of the claims. Society is benefited also because, through the effective operation of the adversary system, legal rules are clarified so that litigation of many future claims becomes unnecessary.

Arguments that the legal services program is paternalistic and lawyer oriented are closely related to the attacks based on economic efficiency. Richard Posner argues in his book *Economic Analysis of the Law* (1977) that providing free legal services to the poor "prevents many poor people from achieving their most efficient pattern of consumption." A poor person, he continues, would prefer $100 in cash rather than $100 in legal services. Given only the latter option, a poor person will accept free legal services unless their value to him is outweighed by the lost time and other inconvenience of dealing with a lawyer. As a result, the demand for free legal services will invariably exceed the available supply, creating a serious rationing problem. Since the value to some recipients will be less than its cost to the taxpayers, Posner contends, the distribution of free services is wasteful.

Posner also argues that free legal services misallocate resources in other respects. The adverse party must increase his legal expenditures or abandon his stake in the dispute. These costs, if a market for services and products is involved, inevitably will be passed on as costs of production. The provision of free legal services also creates opportunities for abuse when particular opponents are singled out for extensive and repetitive litigation. The typical litigant's hunger for justice is moderated by the relationship between what is at stake and the costs of getting it. The appetite for litigation will disappear as legal expenses approach the value of the expected outcome. Because a subsidized litigant does not operate under the same constraint, he might be willing to devote an indefinite amount of legal resources to a case to extort unjust settlements.

A similar problem arises, Posner continues, when the stakes of the parties in a legal controversy are widely disparate. If an injured plaintiff has only $1,000 at stake, while the defendant is worried about the res judicata effect of an adverse decision on related claims of a much larger amount, the latter's willingness to litigate may force a settlement for an amount well below the value of the claim. Institutional litigants, such as insurance companies or government agencies, thus may be able to bring great pressure on individual litigants because they have more at stake.

This ability to whipsaw opponents is present in some situations involving publicly funded legal services. As a factual matter, abuses do not appear to occur with great frequency, partly because legal services programs have such limited resources spread over so many potential cases. An amendment to the Legal Services Corporation Act now protects those inconvenienced by frivolous suits. As amended, the statute provides that a defendant who prevails in an action brought by a legal services program is entitled to an award of reasonable costs and legal fees incurred in defense of the action if the court finds that the action was commenced or pursued for the sole purpose of harassment of the defendant or that the plaintiff maliciously abused legal process.

Arguments concerning the efficiency of the program fail to reflect the benefits provided to poor people when small claims, uneconomical to litigate individually by any claimant, are pursued systematically on behalf of several persons as a class. One of the great advantages of the program is that substantial benefits accrue even to those who are not represented. To the extent that legal rules and procedures are modified in favor of welfare recipients, consumers, tenants, and other classes, everyone in the class, even those not eligible for free legal services, is benefited.

Although the philosophical and economic objections of critics such as Chapman and Posner raise serious questions, the political opposition to the legal services program is based on its very success and the erroneous perspective that exaggerates its law reform aspect. Although some errors of judgment in initiating cases are inevitable in a highly decentralized program, the virtues of local control (with members of the local bar a majority on its governing board) are great. Legal services lawyers do not waste their own time, or that of the courts, on frivolous cases. The judges who pass on these cases decide approximately 85 per cent of them in favor of the program's clients, a remarkably high success rate. The rub about the legal services program may be that it is successful, and its very success creates opposition among interests adversely affected. "Political activism" and similar slogans may be code words for another complaint: "Their just

claims have been upheld against us, and we resent it."

The legal services program is commonly viewed by its proponents as well as its critics as a mechanism for redistribution of social wealth to the poor. Grounding the program on such a grandiose objective is a big mistake. First, fundamental changes in economic well-being are the responsibility of the elected representatives of the people, not the independent judiciary. Second, even if this objective were consistent with democratic political theory, economic theory casts doubt on the notion that changing a legal rule will have the effect of redistributing income within the larger community. The redistribution objective is premised on a massive overestimation of litigation's capacity to produce dramatic changes in general economic status. Finally, this objective is not an apt description of the actual behavior of local programs, in which broad law reform efforts have only a limited role.

Global changes such as the large-scale redistribution of income within the community can rarely be accomplished by lawsuits. The power of the fisc—an area from which courts are almost totally excluded — is usually required for changes of this magnitude. Moreover, unforeseen consequences as well as political retaliation often are associated with efforts to do the impossible through court order. For example, studies indicate that the long effort in several states to require landlords to comply with building codes has tended to reduce the supply of low-income housing and to increase its price, leaving a doubt about whether poor people were the victors or the victims.

Although social justice in the sense of major redistribution of wealth is not an achievable and appropriate goal of the national legal services program, publicly funded legal assistance for the poor is an essential buttress of our enduring values because it (1) provides access to justice, (2) ameliorates the bias of law against the unrepresented, and (3) helps individual poor people to help themselves.

The program provides living proof that our ideal of the blindfolded lady with the scales — who treats both rich and poor alike—is not a figment of the imagination. The courts are not merely another social institution; they provide the essential confirmation that our legal rights are real, meaningful, and enduring. Political liberty requires access to the courts as much as it requires access to the voting booths. The provision of that access supplies a further reason why citizens may be expected to resort to political or legal processes for orderly change rather than to the violent and disruptive path of self-help. James Kilpatrick put it well in 1980:

"If there is one concept that our nation cherishes more than any other, it is the commitment that is carved in stone at the Supreme Court. The legend reads, 'Equal Justice Under Law'. . . [I]n the nature of things, poor families can accept the realities of being poor; they are not going to have the food, clothing, housing, higher education and material amenities of the rich. What they cannot accept is the sense of being unfairly ground down by the millwheels of the law.

Legal services for the poor benefit everyone

"We never will achieve the ideal of truly equal justice. Outside the antiseptic realms of mathematics, literal equality does not exist and ought not to exist. But at law, we must keep trying."

The legal services program improves legal rules and procedures so that poor people get a fairer break. Our institutions tend to respond to the interests that are present and represented. Just as regulatory agencies are frequently captured by industry representatives if they are closeted with them for a period of years, so legislatures, courts, and administrative bodies respond to the viewpoints that are presented and the arguments that are made. But they are generally responsive only to those who make their views known.

If, for example, all cases involving borrowers and finance companies were collection suits brought by well-represented creditors against unrepresented debtors, the law in the area inevitably would be skewed toward the creditor interests. Representation of even a small portion of debtors will have a remarkably salutary effect. The most egregiously unfair rules will be eliminated quickly, and intelligent law reform will take place on more closely balanced issues. The development of sound common law precedent depends on the adversary presentation of facts and arguments.

Legal services for the poor offer an effective and efficient remedy. It is an efficient remedy because it is not essential that representation be provided to every tenant, consumer, borrower, or the like in order for beneficent effects to be felt. Provision of legal services for some of the poor changes rules and procedures that benefit everyone in the affected class, even those who are not poor.

There is a tension, of course, between the idea that the legal services program is primarily delivery of routine "nuts-and-bolts" legal services to the poor and the economic arguments that the cases brought have a significance that goes far beyond the needs of the particular litigants. But controls in local programs, reinforced by national policies, can retain a client-oriented focus that prevents staff attorneys from engaging in random forays against windmills of their devising. There are both political reasons (increased respect for the law) and economic reasons (improved efficiency in the dispute-resolution process) that justify provision of services whose cost may often exceed what a middle-class litigant would pay for the services.

Finally, in a society that values the dignity of the individual, the role of legal services in helping the poor to help themselves must remain the basic justification. A divorce may allow the reshaping of harmonious family relations; a bankruptcy may be the prelude to a new economic beginning; or enforcement of housing or welfare rights may provide the stability necessary before other changes can occur. The legal services program helps bring justice to individuals who are hurt, troubled, unfortunate, and dispossessed.

Can we save the world by providing free legal services to the poor? Surely not, because history tells us that the use of litigation, backed by the coercive power of the state, will not produce heaven on earth. And there will be abuses here as in the exercise of all power over others. But we can bring a little light into the lives of others—and some self-respect into our own—if we devote at least a portion of our tax dollars and professional time to what is ultimately important: improving the lot of others. **Journal**

(Roger C. Cramton is professor of law at and formerly dean of the Cornell Law School. From 1975 to 1978 he served as chairman of the Board of Directors of the Legal Services Corporation. He adapted this article from his 1982 Orison Marden Lecture given in May at the Association of the Bar of the City of New York.)

Legal services for the poor: three current controversies

I

The state and local governments should run their own legal services programs.

Pro

Civil legal assistance for the poor may be viewed either as part of the administration of justice or as a social service function. In either case, it should be carried out by state and local governments, which have the responsibility for these matters in our federal system. Provision of defense attorneys for the poor in criminal cases is a responsibility of the state; and each state makes a decision as to the manner in which it is done. Some localities opt for a public defender (staff attorney) system and others use appointed counsel from the private bar. Compensation and other arrangements vary from state to state. A proper respect for federalism requires that legal aid be administered on the same basis.

Con

If we were writing on a clear slate and civil legal assistance for the poor was a constitutional requirement, there would be much to be said for leaving implementation to the states. But we do not write on a clear slate, and civil legal assistance for the poor is not recognized as a federal constitutional right. Prior to 1965 when the national legal services program started under O.E.O. auspices, legal aid to the poor was provided to only a few through volunteer programs in some major cities. As in the field of welfare generally, the federal government took the lead in developing the program and establishing a minimum national standard of access. Perhaps the states should have done the job, but they did not.

Proposals to shift the responsibility to the states at this time often conceal a desire to eliminate civil legal assistance entirely, since the states are strapped for funds and are not in a position to embark on new social service programs. The analogy to the criminal defense field is not persuasive because in that situation the states are responding to a federal constitutional requirement that indigent defendants be provided adequate counsel. State support did not come about by choice but as a result of federal requirement.

Several other problems lurk behind the Reagan administration's suggestion that legal services be included in the social service functions eligible for funding from block grants to be transferred from the federal government to the states. First, no funds allocated to legal services are included in the block grant amount. Second, even as to programs that are included, the total amount in the block grant is reduced by 25 per cent. Third, costs of administration are likely to be higher for 50 state programs than for the current federal program, and poor people will suffer because of the uneven response that would likely result. Finally, since claims against state and local agencies are an important aspect of representing poor people, there is great danger of political interference with the program if it is administered by the same state officials who are frequent defendants. The fox should not be put in charge of the chicken coop.

II

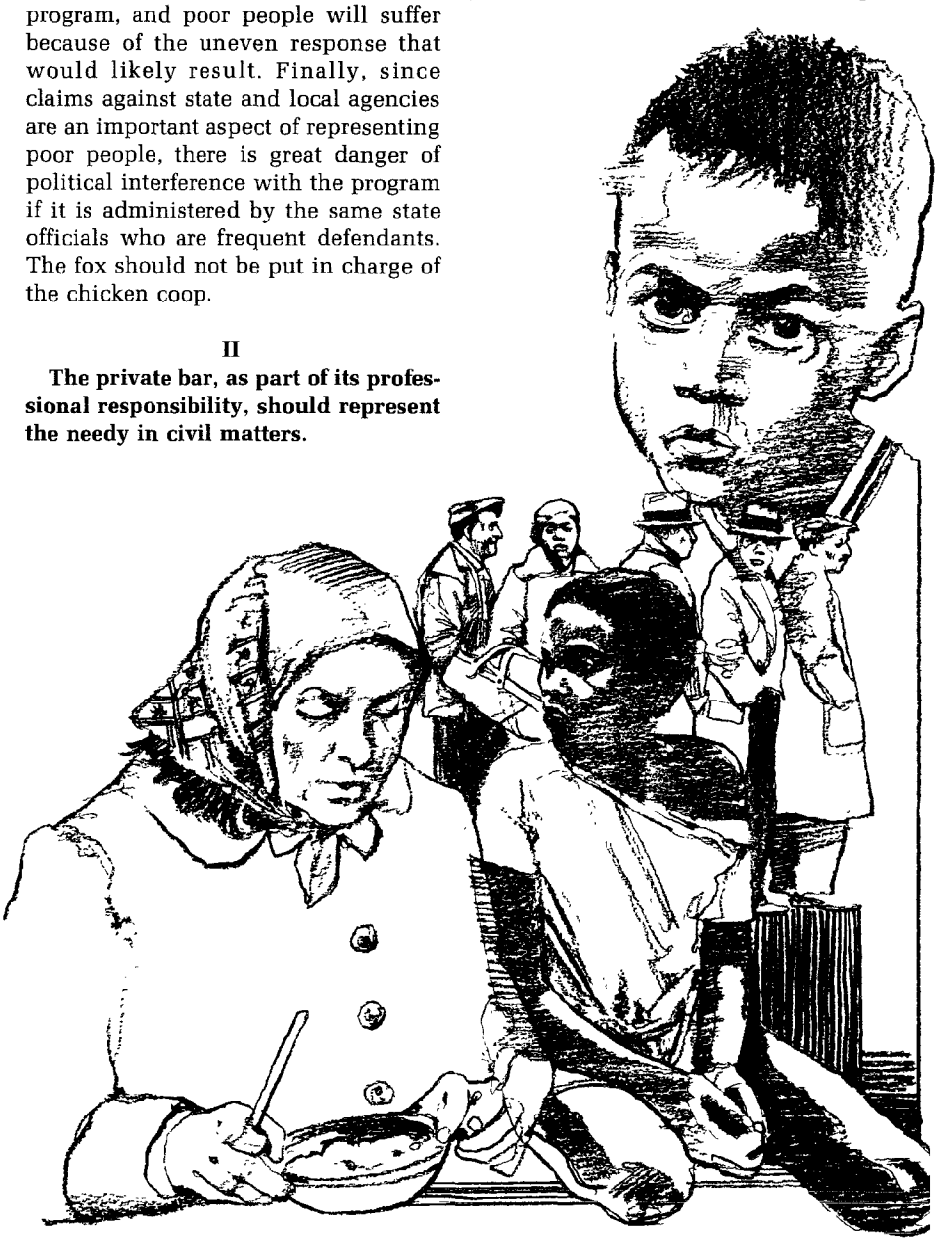
The private bar, as part of its professional responsibility, should represent the needy in civil matters.

Pro

There are more than 500,000 lawyers in the United States. Each of them has a responsibility, as a lawyer, to assist the needy in obtaining legal help. If each lawyer handled two poor persons per year without charge, the same number of poor would be assisted as under the current federal program costing about $240 million.

Con

Lawyers do have an obligation to provide those who cannot afford legal



services with the help they need. But it is fatuous to think that the bar, without the aid of an effective legal services organization, can do the job by itself.

First, the need is so great that both public and private programs are needed. The current national program serves more than a million poor people a year, but it turns away two or three times as many as it serves. And still more would want service if they thought it was available. About 15 per cent of the need for legal services for the 30 million people below the poverty line was met last year by the national program. The help of private lawyers is absolutely essential to meet the unserved need of the poor—to say nothing of the near poor, who are often not in a position to pay for lawyers.

Second, a well-organized legal aid program is necessary to assist private lawyers in serving the poor. Most lawyers deal with the rich and powerful in our society; they have little contact with poor people and their legal problems. This is especially true of those in the large corporate law firms, who can afford to be generous in terms of public service but who lack contact with poor clients or the experience that would enable them to handle their problems effectively. Legal issues relating to a corporate debenture are a far cry from the child-custody dispute, welfare claim, or housing-eviction problem that are the grist of poor people's legal needs. Their problems are not more or less complicated; they are just different. Cultural, ethnic, and racial barriers also separate most middle-class legal professionals from poor clients. A cleaning lady at home or an elevator operator at work constitutes the range of many lawyers' associations with poor people. For these reasons, the *pro bono publico* efforts of the private bar require an organizational framework such as the local legal services program in order to bring private lawyers together with poor clients and to use these lawyers' skills in the legal disputes in which their help will be effective.

Finally, lawyers as a profession cannot be expected to bear the entire burden of a basic human service. Although the professional obligation of lawyers is large, it is unfair to tax them with the full cost. Farmers do not expect to bear the cost of the food-stamp program; businessmen do not give away their products or services to

the poor; doctors do not serve all poor patients free of charge. Lawyers should not be expected to contribute one fourth or more of their time to this public program. Many can and will contribute substantial time, especially if a legal services program provides a convenient vehicle for their doing so, but the fulfillment of this moral obligation cannot be expected to meet the dimensions of the problem.

III

The legal services program should be restructured to make better use of private attorneys and decrease the ideological content of the current program.

Pro

The current staff attorney system fosters a "law reform" focus that sometimes injects a "political" component into the program. Routine legal services for poor people are one thing, but taxpayers need not and should not be asked to fund activities that are designed to organize poor groups for political action, initiate highly publicized suits to mobilize pressure for social change, or invoke the aid of the courts for efforts to redistribute wealth within the community. The young, liberal lawyers who run the local legal services programs decide how they will spend their own time. There are grounds for suspecting that their agenda is one of their own making, not that of the eligible poor who need legal services. A judicare system—in which poor people would select their own lawyers, who would be reimbursed by the government — would avoid these difficulties.

Con

First, the statement assumes that a law reform focus characterizes the current program and that it is undesirable that even modest attention be given to larger-scale problems facing groups of poor people. These questions are discussed in detail in the foregoing article.

Second, protections against the use of taxpayers' funds for political activity, public demonstrations, grass-roots lobbying, and the like have been part of the national program since the Legal Services Corporation was established in 1975. Pending legislation would strengthen these protections and provide the corporation with a wide range of sanctions against abuses. Other than the fears and unverified anecdotes of those who oppose the program, it has not been demonstrated that more than occasional and isolated instances of poor judgment—inevitable in any large program — have occurred during the first six years of operation.

Third, more attention is and should be given to judicare alternatives and the involvement of private lawyers. Ten per cent of each program's fund must now be spent on measures involving private lawyers, and it is likely, if the program survives, that its judicare component will be expanded. It is easier, however, to add a judicare or private bar component to a staff attorney program than to carry out a program based exclusively on judicare. An organization that screens clients for eligibility is essential, in any case. And some legal problems of the poor require the attention of specialists in areas in which there are complex government regulations. The larger-scale lawsuits mounted by staff attorneys bring clarity to the law and sometimes eliminate the necessity for thousands of discrete, individual controversies. Government and more affluent citizens as well as poor people benefit as a result of zealous and efficient lawyering.

Finally, a whole judicare system would probably be much more costly than the current staff attorney system. The creation of a nationwide program quickly during 1975–80 led to a heavy reliance on the staff attorney approach. We are now in a position to work toward the most effective mix of strategies. This effort calls for a rational development of the current program, not its dismantling.

—ROGER C. CRAMTON

counsel.

DIALOG

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